

Notice of Allowability

Application No.

09/675,756

Examiner

Sean Reilly

Applicant(s)

KUZMA, ANDREW J.

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed August 21, 2006.
2. ☒ The allowed claim(s) is/are 1,2,4-6,10-16,18-20 and 81-88.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11/10/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the following claim amendments in this examiner's amendment was given in a telephone interview with Bill Schaal on November 10, 2006.

The application has been amended as follows:

IN THE SPECIFICATION:

1. The amendments to the specification as submitted by Applicant on August 21, 2006 are entered.

IN THE CLAIMS:

2. Claim 1 is replaced with the amended claim 1 as recited below.
3. Claims 21, 23-36, 38-41, 43-46, 49-50, and 52 are cancelled.
4. Claims 81-88 are added as recited below.

1. (Currently Amended) A method comprising:
receiving a list of servers in a network for display on a viewing system;
registering information with a service provider by a viewer using the viewing system for storage and later use, the information including a preferred order of edge servers for routing content to a viewer;

receiving a request by the viewer for the content at the service provider after registering the information; and

in response to the viewer requesting the content, accessing the information after storage and selecting one of the edge servers to be a selected edge server to receive and to transmit the content to the viewer via the network, the one of the edge servers being automatically selected by the service provider based on the information provided-registered by the viewer.

81. (New) A system comprising:

a viewing system adapted to receive a list of servers in a network for display; and
a service provider including

means for registering information from a viewer using the viewing system, the information being stored for later use and including a preferred order of edge servers for routing content to a viewer,

means for receiving a request by the viewer for the content after registering the information at the service provider, and

means for accessing the information after storage and selecting one of the edge servers to be a selected edge server to receive and to transmit the content to the viewer via the network in response to the viewer requesting the content, the one of the edge servers being automatically selected by the service provider based on the information registered by the viewer.

82. (New) A system comprising:

a viewing system adapted to receive a list of servers in a network for display; and
a service provider including

a memory to register and store information from the viewing system, the information being stored for later use and including a preferred order of edge servers for routing content to the viewing system, and

a processor adapted to receive a request by the viewing system for the content after the information has been registered and stored, to access the information after

Art Unit: 2153

storage, to select one of the edge servers to be a selected edge server to receive and to transmit the content to the viewing system, the one of the edge servers being automatically selected based on the information registered from the viewing system.

83. (New) The apparatus of claim 82 wherein the memory to register the information by storing addresses of each of the edge servers.

84. (New) The apparatus of claim 83 wherein the information stored in the memory further comprises a unique identifier (ID).

85. (New) The apparatus of claim 84 wherein the unique (ID) is one of a global user ID number, a network interface card (NIC) serial number, and a number provided by the service.

86. (New) The apparatus of claim 82 wherein the information comprises a plurality of addresses corresponding to each of the edge servers.

87. (New) The apparatus of claim 82 wherein the information is a text file, the information being given to a browser by the selected edge server.

88. (New) The apparatus of claim 87 wherein the text file is a cookie identifying a viewer using the viewing system.

Allowable Subject Matter

Claims 1-2, 4-6, 10-16, 18-20, and 81-88, as submitted by Applicant on August 21, 2006 and in view of the above amendments, are allowed.

The following is an Examiner's statement of reasons for allowance:

Art Unit: 2153

With regard to claims 1, 81, and 82, these claims are allowed in view of Applicant's arguments with respect to claim 1 submitted on August 21, 2006 pages 12-13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 10, 2006


KRISNA LIM
PRIMARY EXAMINER